

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, January 29, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner
Bob Rowe, Commissioner

APPEARANCE

Steve Vick
Utility Division

(37) In the matter of Black Hills Power & Light, Docket No. D2001.12.172; On December 24, 2001, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on December 31, 2001. Requests for hearing were due by January 29, 2002. No requests have been received. This application will decrease rates by \$10,220 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Commissioner Stovall moved to approve the application for rate decrease. Commissioner Rowe seconded the motion, which passed unanimously.

(38) In the matter of Montana Power Company, Dockets No. D2001.12.167, D2001.12.168 and D2001.12.169; On December 13, 2001, Montana Power filed three applications to revise their propane, natural gas and electric tariffs pertaining to meter testing. The current meter testing schedule has been in place for some time and improvements in manufacturing have warranted a change. The proposed meter testing procedure will provide a more statistically correct and updated method of assuring accuracy. Commissioner Rowe moved to approve the tariff revisions. Commissioner Brainard seconded the motion, which passed unanimously.

(39) In the matter of Qwest Communications, Docket No. N2001.1.4; On January 7, 2002, QWEST COMMUNICATIONS, filed tariff transmittal 02-01, DSS, UAS, ISDN, PRS, and Centrex Prime Promotion. Qwest is proposing a promotion that would run from February 1, 2002 through April 30, 2002. Under this promotion, customers subscribing to Centrex PRIME, Advanced Digital Switched Service (DSS), ISDN Primary Rate Service (PRS), or Uniform Access Solution (UAS) under a minimum 36 month rate stability plan, will receive credit for one month of service if Qwest, through its own fault, fails to meet the committed due date to the customer. The due dates must be equal to or greater than the Standard Interval date as specified in the Qwest Corporation Service Interval Guide. The promotion applies if facilities are available. This promotion applies to customers who are new to the service except customers migrating from Centrex type service to Centrex PRIME. The promotion also applies to current customers who are adding additional T1 facilities with network trunks/connections for Advanced DSS, ISDN, PRS, and UAS. In addition, the promotion applies to new Centrex PRIME being installed in a new central office for an existing customer. Commissioner Rowe moved to approve the promotional tariff filing. Commissioner Stovall seconded the motion, which passed with a vote of 4-1. Commissioners Anderson, Feland, Rowe and Stovall voted aye. Commissioner Brainard dissented.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(41) In the matter of the approval of Commission Minutes; Commissioner Rowe moved to approve the Commission Minutes for the week of January 22, 2002. Commissioner Stovall seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, January 29, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner
Bob Rowe, Commissioner

APPEARANCE

Robin McHugh, David Hoffman, Will Rosquist, Eric Eck, Susan Good

(42) In the matter of the Commission's discussion of Montana Power Company' s Tier II filing and Application for Approval of Sale to NorthWestern Corporation, Docket Nos. D97.7.90 and D2001.1.5, respectively; Commissioner Rowe moved to approve the Stipulation and Settlement and issue a Final Order concerning the sale in Docket No. D2001.1.5 and an order resolving transition costs in Docket No. D97.7.90. Commissioner Brainard seconded the motion, which passed unanimously. The work session was continued until Thursday, January 31, 2002 at 3:00 p.m. for approval and signing of the final order.

APPEARANCE

Martin Jacobson, Joel Tierney

(43) In the matter of the Commission's discussion of Havre Pipeline rate increase for farmstead customers, Docket No. D2001.7.99; Commissioner Brainard moved to approve the settlement. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Anderson was out of the room doing an interview and left his proxy with Commissioner Feland. Commissioner Feland cast Commissioner Anderson' s proxy aye.

APPEARANCE

Lisa Swanson

(44) In the matter of the Commission's discussion of Montana Power Company' s QFLT-1 Avoided Cost Filing, Docket No. D2001.7.100; Commissioner Anderson moved to grant Colstrip Energy Limited Partnership' s motion to compel the Western Energy Company contract. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Lisa Swanson, Will Rosquist

(45) In the matter of the Commission's discussion of the PSC' s initiation of rulemaking to modify supplier licensing rules; Commissioner Rowe moved to issue the proposed rulemaking. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Scott Fabel

(46) In the matter of the Commission's discussion of AT&T Communications of the Mountain States' Application to Withdraw Sent-Paid Coin Service, Docket No. N2001.12.165; Commissioner Brainard moved to extend the hold until February 8, 2002. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Scott Fabel

(47) In the matter of the Commission's discussion of Hot Springs Telephone Company' s payphone and public access lines tariff revisions, Docket No. N2002.1.5; Commissioner Rowe moved to approve the tariff changes. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Mike Lee, Marla Larson

(48) In the matter of the Commission's discussion of Qwest Corporation' s Application for Approval of Section 271, Docket No. D2000.5.70; Commissioner Brainard moved to reject the motion for reconsideration of line sharing and interconnection issues. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(49) In the matter of the Commission's discussion of Hot Springs Telephone Company' s petition for rulemaking regarding interest on customer deposits, Docket No. L-02.1.1-RUL; Commissioner Brainard moved to accept the petition and issue the notice of proposed rulemaking. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(50) In the matter of the Commission's discussion of the PSC' s electronic documents filing requirements, Docket No. L-01.6.2-RUL; Commissioner Brainard moved to approve the notice of adoption with the provision of a waiver. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson

(51) In the matter of the Commission's discussion of the PSC' s rulemaking regarding customer requested privacy of telephone numbers, Docket No. L-01.6.3-RUL; Commissioner Brainard moved to adopt the rule as presented with the understanding that if the rule needs modified the rulemaking process would start over. Commissioner Feland seconded the motion, which failed with a vote of 1-4. Commissioner Brainard voted aye. Commissioners Anderson, Feland, Rowe and Stovall dissented. Commissioner Stovall moved to let the rule die and start over. Commissioner Anderson seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, January 30, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner, via telephone
Bob Rowe, Commissioner

APPEARANCE

Monica Tranel, Mike Lee, Scott Fabel

(52) In the matter of the Commission's discussion of Qwest Corporation's Application for Section 271 Approval, Requirements of Section 272 Approval, Docket No. D2000.5.70; Commissioner Rowe moved to issue the preliminary report requesting comments on facilitator's reports and KPMG's audit. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe cast Commissioner Anderson's proxy aye as Commissioner Anderson was on a conference call.

APPEARANCE

Monica Tranel, Mike Lee, Kate Whitney

(53) In the matter of the Commission's discussion of Qwest Corporation's Application for Section 271 Approval, Performance Assurance Plan, Docket No. D2000.5.70; Commissioner Rowe moved to issue the preliminary report on Qwest's Performance Assurance Plan (QPAP). Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Kate Whitney

(54) In the matter of the Commission's discussion of Qwest Corporation's Application for Section 271 Approval, Docket No. D2000.5.70; Commissioner Rowe moved to issue the Request for Comments. Commissioner Stovall seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, January 31, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman, via telephone
Bob Anderson, Commissioner
Matt Brainard, Commissioner
Bob Rowe, Commissioner

APPEARANCE

Robin McHugh, David Hoffman

(55) In the matter of the Commission's discussion of Montana Power Company' s Tier II Filing and Sale to Northwestern Corporation, Docket Nos. D97.7.90 and D2001.1.5, respectively; Commissioner Anderson moved to issue the Final Order subject to nonsubstantive editing. Commissioner Brainard seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)